IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

WP(C).No. 19537 of 2007(A)

PETITIONER:

K.C.MOHANDAS,S/O.K.K.CHAKRAPANI,
AGED 30 YEARS,KAITHAVALAPPIL HOUSE,
MALIPPURAM POST,VALAPPU BEACH ROAD,VYPEEN.

BY ADV. SRI.DENIZEN KOMATH

RESPONDENTS:
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1. CIRCLE INSPECTOR OF POLICE (TRAFFIC)
ERNAKULAM CITY TRAFFIC POLICE STATION
(WEST WING),ERNAKULAM.

2. COMMISSIONER OF POLICE KOCHI,OFFICE OF

BY GOVT.PLEADER SRI P.A.SALIM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R. RAMAN & K. HEMA, JJ.

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W.P.(C) NO. 19537 OF 2007

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DATED THIS, THE 26TH DAY OF JUNE, 2007.

J U D G M E N T

Raman, J.

Petitioner is the registered owner of a stage carriage bus, bearing registration No. KL-7 AJ8123. According to him, on 16.6.2007 at about 6.40 p.m. the vehicle had to side park in front of Siva Temple Ernakulam, due to burst of one of its tyres. The vehicle could not be plied and when it was getting repaired the first respondent came there and took the vehicle to the Traffic Station, Ernakulam and demanded a fine of Rs. 3,000/- for permit violation. According to the petitioner, there is no room for imposing any fine and it is only because of the bursting of the tyre that he could not ply the vehicle. He preferred a complaint Ext.P3 to the higher authorities, who is the second respondent herein.

2. We have heard the learned Government Pleader also. In the facts and circumstances, there will be a direction to the second respondent, Commissioner of Police, Kochi, to consider and pass appropriate orders on Ext.P3, in accordance with law, after hearing the petitioner.

The writ petition is disposed of as above.

P.R. RAMAN,
(JUDGE)

K. HEMA,
(JUDGE)

knc/-